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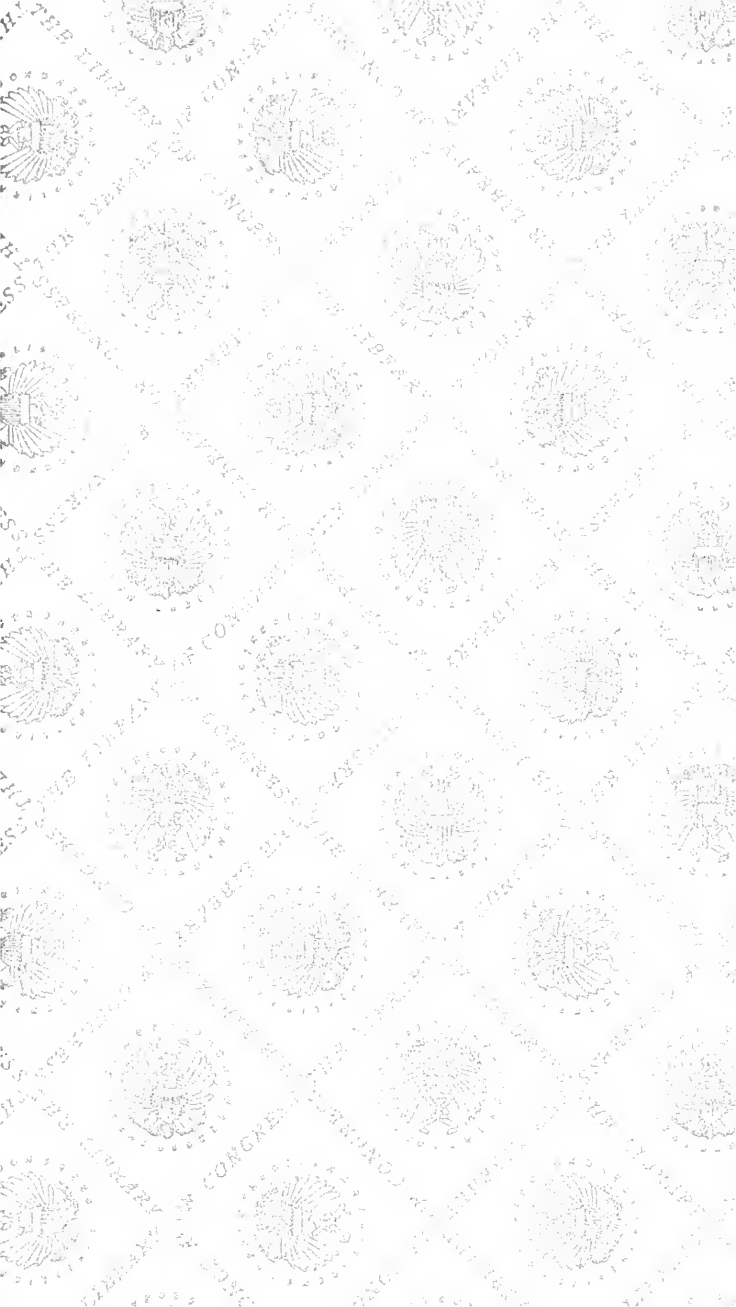
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"THE STATE OF THE COUNTRY."

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# AN ORATION

DELIVERED AT BUFFALO, JULY 4th, 1862,

BY WALTER CLARKE, D. D.

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BUFFALO:

PUBLISHED BY BREED, BUTLER & CO., 188 MAIN STREET,  
1862.



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# ORATION.

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MR. MAYOR, GENTLEMEN OF THE COMMON COUNCIL, AND FELLOW  
CITIZENS:—

We celebrate to-day, the Eighty-sixth Anniversary of our National Independence. And were the country in a more peaceful and prosperous state, duty to the past would doubtless require that we should make the occasion a festival of memory, rehearsing with grateful eulogy and patriotic pride, the deeds by which our fathers achieved immortality for themselves, and left to us, as a precious and perpetual legacy, a free State—an open School—and a Church—the seminary of virtue, the citadel of truth.

But the Republic, which came into existence, in that first act of independence, has reached at length the period of its second nativity: and existing events fraught with all imaginable destinies for the future, summon us from the cradle, where Liberty was born, to the scene of present agony, where the same Liberty is passing through the anguish and the fear of a second birth.

I have thought, therefore, fellow citizens, that I might best accomplish the grateful task to which your good will has called me to day, by avoiding all the common places which have made this anniversary so fantastic in former times, and setting before you an earnest, and so far as I can make it, a thorough exposition of the present state of the country.

What is the meaning of this huge and frightful revolt which has driven the States of the South into madness, and treason and war?

Has our once united and happy country come so soon to its death struggle? Is Time the enemy of freedom, and are Republics the children of disease, doomed to a brief existence and a violent end? Are the powers of inevitable destruction setting in from the South? Or is the mighty life of the North, rushing with a generous impetuosity into the distempered members, and flooding the whole body of the State with a new vitality? What is the historic significance, and what the true solution of this great National convulsion? To such inquiries we devote the present hour.

The American Independence was the birth—for us—and for all the Nations, of *true* liberty. For centuries the idea had been slowly shaping itself, in the minds of martyrs, and patriots, and sages, till when it was fully ripe, it broke forth and became one of the fixed realities of time. True liberty, I say, for it is essential to any just estimate of our fathers, or any correct understanding of the institutions which they founded, to distinguish two very different kinds of Popular Freedom.

All vices, of individuals and nations—all despotisms, single or collective—whatever errors men embrace, whatever crimes they cultivate, whatever tyrannies they befriend—all these pernicious and unholy things, demand for their accommodation, an unlawful license—liberty to exist, liberty to expatiate, liberty to lay waste. Here is one kind of freedom—freedom for things that are injurious, and unlawful, and base. This kind of liberty had been long in the world—to the grief of nations, to the ruin of governments. Our fathers believed that it was time to introduce a new order into the course of this world: time to lay restraint on oppression, and give liberty to that which benefits and ennobles man. Flying therefore to this far-off Continent, which seemed to have been waiting through all the centuries for their arrival, they said—“this

shall be the home of the new liberty; here we will build an empire in which all just and beneficent things shall have freedom; and all other things hindrance and censure and restraint."

It should never be forgotten, that the only liberty which the founders of this Republic sought for themselves, or won for us, was a lawful liberty; enfranchisement for whatever ennobles and benefits the race.

And, that they might not be misunderstood in a matter so fundamental, and might not let loose upon this great Continent, under the name of liberty, the elements of universal misrule, they carefully determined the limits, and wrote down the boundaries within which American freedom should forever reside. Master-builders as they were, they erected around every estate, and privilege, and right, and person, the barrier of a well defined constitution; the bulwark of intelligible and authoritative law.

American Liberty, therefore, is not liberty in any absolute, ambiguous or universal sense—is not the liberty which demagogues covet, or reprobates conceive, or rebels assert. It is a defined, a limited, a legitimate, a constitutional liberty. Having achieved this form of freedom and desiring to detain the invisible guest in some fit inclosure, our fathers set up the constitution. And that single instrument is the sanctuary and stronghold of Freedom, not for this Continent alone, but for the whole world as well. When that goes down, Liberty having no fortress and no shelter on earth, will escape to the skies from which she came.

But the founders of the Republic understood as we do, that it was essential to the stability of a free government, nay to its very existence indeed, that liberty should be balanced and harmonized by another sentiment of equal strength and equal purity, the sentiment, to wit, of Loyalty. No government can exist, no interest thrive, no people be safe, where laws are wanting—or being

had are not obeyed. In despotic states, the laws must be executed by force, because with them, government rests not upon the consent of the people, but upon the power of the rulers. In Republics, on the contrary—law derives its force, not from the power of the magistrate, but from the consent of the governed. This voluntary consent then on the part of all the free, this spontaneous, cordial, quick allegiance to the law, is absolutely essential, not to the stability only, but to the very existence of a free State. Our fathers understanding the need and the worth of this sentiment, made the Constitution a chart of American loyalty, as well as a measure of American liberty. That instrument uses a precision no more exact, and employs a care no more circumspect, when defining the rights of the people, than when declaring their duties. And this gives us the true and only true conception of the loyalty which our country requires of its subjects. Our liberty is an American liberty. Our loyalty must be American also. And American loyalty holds inviolate and sacred the American law; holds as most inviolate and most sacred, that which is the basis of all government and the source of all authority, the Constitution, the Law's law. To obey as subjects, to execute as magistrates, to defend as citizens, to yield homage and allegiance to American law, whether it be recorded in constitutions, or written in codes, or expounded in courts, obedience to American law, that is American loyalty. Whatever is other or less than that, is secession, is treason,

Loyalty and Liberty in the sense of the Constitution, are the two pillars on which the Republic stands. Remove either of them and you overturn the government. Take away Liberty and the laws have nothing to guard, and nothing to perpetuate, and nothing to do. For that is the one office of American law, to protect and preserve, and perpetuate the liberties of the people. Take away Loyalty and Freedom has no guardian, and no hope, and no home; for it is only under the shelter of Law that Liberty can

live. Loyalty and Liberty unite in the American Constitution, as the centripetal and centrifugal forces combine, in the systems of the stellary world. Preserve them as they are, and every orb adheres to its circuit, and every satellite keeps its place, and the order of the heavens is as enduring as time. Nothing is wanting to the instant ruin of the Republic, but to impair one of these two forces; to corrupt the spirit of Loyalty on the one hand, or enfeeble the sense of Liberty on the other. On the contrary nothing is needed to perpetuate the Republic through countless generations and to the end of time, but to keep alive in the popular mind, and in due proportion, the two great sentiments on which the government rests. In astronomy, just so long as the centripetal force is matched and balanced by the centrifugal, the worlds will revolve peacefully and happily, as at the first. And just so long as the American people will preserve their liberties on the one side, and their loyalties on the other, that is to say, just so long as they will be faithful to that Constitution, which is the covenant of liberty, and the charter of law, the Republic will remain secure and happy. It may extend to whatever limits; it may embrace whatever territory; it may include whatever institutions; it may acquire whatever population; it may encounter whatever trials; but just so long as the people will guard with becoming vigilance, and preserve with patriotic care, the two essential factors of the commonwealth,—just so long as they can retain Liberty and Loyalty, the Republic will be safe. When either begins to falter, the Republic is in peril.

Our fathers gave us liberty. They could not give us loyalty also. For, while freedom is a social condition, into which we can be put by others—allegiance on the other hand is a popular sentiment, which we must unfold for ourselves, and a public habit which we must exercise in person.

The fathers did what they could; gave us liberty, and defining in the charter which conveyed the costly inheritance, the loyalty

which we must acquire and practice, left us to gain that wanting sentiment, by whatever discipline the future should chance to furnish. And, until the people should acquire that second lesson, and become as loyal as they are free, and as secure as they were loyal, those wise and cautious fathers called to the aid of the Republic the tutelar service of religion. Centuries of spiritual culture had sunk in the popular mind a deep reverence for God; a consciousness of His presence; a sense of His justice; a dread of His wrath. Among all orders and ranks, an oath was held as especially sacred. That was a bond which no man might violate; that was a pledge which none might despise. Our fathers, fearing for the safety of the new Confederacy, said: "Till loyalty has had time to grow, and patriotism to become strong, let us put liberty under the care of an oath." They did as they devised, laid upon the whole Nation a religious vow—bound rulers and ruled by an oath, to respect the Constitution, to obey the laws, to practice loyalty in form till allegiance should be theirs in spirit. That oath remained the bond of union and the strength of law for more than three-fourths of a century. But for that, the Nation would have gone asunder long since, as did the Republics of the Old World, as have the Republics of more modern times. That oath kept even the South from the apostacy she so early intended, and so constantly and so shamefully desired. And had not the gangrene of Slavery eaten its way into the Southern Church, corrupting the ancient religion, and giving to the people a depraved conscience, a degraded manhood, a loose christianity, and an apostate pulpit; treason had never had the strength, nor sedition the courage to break the allegiance, and dissever the oath, and do violence alike to the laws of God and the covenants of man.

Till the people could attain to a loyalty which should equal their rights, and be as cheerfully obedient, as they were willingly free, our fathers relied upon the force of the oath to make them submissive, and orderly, and true.

Independence had been achieved, liberty acquired, and the Nation conducted safely through the first stadium of its history. It must now enter upon a new probation and pass the ordeal of a second stage. The fathers had undertaken with their virtues, to acquire liberty for themselves and their children. Now the nation starting upon a new career, must decide whether with liberty it can achieve loyalty also, completing the fabric which the fathers commenced.

To gain Loyalty, that was the task to which the American People were sent, eighty-six years ago. Was there anything in the traditions, habits or circumstances of the Nation at that time to make the experiment perilous or the event doubtful? Any concealed enemy to threaten the existence? any unknown obstacle to hinder the growth of that much needed sentiment, the soul of the Republic, the life of liberty, popular allegiance to law?

Alas! we must confess it, there were four deadly elements hid in the heart of the Nation, and biding their time, with which government would one day be obliged to contend, in a conflict that should bring to our liberties everlasting triumph or utter extinction. Three of these malignant forces were great lusts, that had been nurtured by indulgence and envenomed by abuse; the fourth was a horrid crime consolidated into an unsightly custom, and set forth as a social institution. Neither, was the product or the pet of the new government. They were within the Republic, but not of it. The sins of a former age, they had drifted down to their descendants, and were present not as partners, but as enemies; not to build up, but to demolish; not as guests awaiting a welcome, but as assassins athirst for blood. These four enemies destined to make war on the Republic, and destined to perish in the strife which they should provoke, were Party Spirit, Greed of Wealth, Southern Despotism, and Negro Slavery.

It needs no argument I am sure at this late day, to convince any candid observer that these four malignant powers are so hos-

tile to every principle of a Free government, that if they appear single or together, in a Republic, they or the government must one day perish.

Party spirit, what is it but the very opposite of true patriotism? overturning what the fathers gave their lives to erect. Elevating the unscrupulous demagogue to the place of the authorized ruler—substituting a selfish rabble, scrambling for spoils, for a discarded Nation asking for government, making office an occasion for plunder, and law a tool for interest—discarding justice, despising honor, disowning truth—a fierce, multitudinous, many-headed tyrant, whose one method is seizure, and its one end success; party spirit has only to acquire opportunity and power, and it will sacrifice to itself the fairest Republic that the sun ever looked upon.

The same is to be said of the insane greed for wealth, which inflames and maddens the masses. Pursuing its one object, regardless of all scruples, and indifferent to all rights—making the elements its menials, and the earth its helpers, this insatiate spirit of gain will one day ask, whether the American government cannot be converted into a house of merchandise, and Liberty herself, sold for a price at the shambles. And when that day comes, Liberty will be compelled to rescue herself by setting her heel on the neck of her enemy.

Then there is at the South, as we all know, a widely diffused spirit of despotism—the creature in part of an idle, wild and cavalier ancestry—in part of the habits of the plantation and the presence of the slave; a proud, a supercilious, a barbaric temper—a feeling to which Mr. Calhoun gave full utterance and frank expression when in 1812 he had the impudence to proclaim, “We Southrons are essentially aristocratic, and when we cease to control this Nation we shall then resort to a dissolution of the Union.” That proud feeling of aristocracy, that conceit of self which accepts the Republic only while it can wield the lash, and guide



the rein, and be an acknowledged despot, can anybody doubt that if the fathers give us liberty, liberty will one day have to cope in deadly battle with that enemy?

And finally, nobody who knows what slavery is, will need to be told that if it be tolerated in the new Republic, it will at no very distant day rise up, like a spectre of darkness, and attempt to avenge itself by overturning the government. Our fathers, laying the foundations of a free State, had to do not only with the choice material which should enter into the composition of the coming Republic, and be part of the enduring and everlasting fabric, but with much other base and spurious material as well, which, while it was unfit for the intended structure, was on their hands nevertheless, and must be disposed of in some way.

One of these incongruous and incompatible things, was the system of Negro Slavery. It was already on the ground, accepted, tenacious, and ineradicable. The founders of the Republic had not produced and could not displace it. Here it was. What should they do with it? Happily it was altogether a municipal evil—the creature of local customs, the subject of State authority. Our fathers taking note of this circumstance said: “Let it remain altogether with those who have the lawful charge of it. The American Government shall not go down to slavery to deal with it; slavery shall not come up to the American Government to have partnership with it. As respects the States, it may be, if they so elect, domesticated and at home with them. As respects the Republic, it shall be forever an alien and a stranger. Since the American Government is for free men and not for slaves, for liberty and not for oppression, it will leave Slavery to the care of those who choose to care for it—neither invading it on the one hand, nor protecting it on the other.”

That was the way in which our fathers disposed of the question of slavery. The Republic they said, shall tolerate the evil till it

has time to take itself away: but it shall be endurance not adoption; hospitality, not partnership; concession not concurrence.

But how inevitable that such a system should refuse to submit to these restrictions. Eating up the fruits of the soil like locusts, like locusts, the enslaved and hungry horde must move often to new places and alight upon fresh herbage. Consuming the face of the earth like fire, like fire, the system of slavery must spread, or die of that it feeds upon, devouring and being devoured.

Slavery, we might be sure of it, would utterly reject the restraints of the Constitution, and come forward to claim, not toleration, as an alien, but acceptance as a partner; not the mere permission to die unmolested, but the full freedom of the Republic; liberty to expand, liberty to endure, liberty to ascend to seats of power and reign.

Such was the character of the enemies with which the American Republic would be compelled to contend so soon as she started upon her course in history.

How actual and how serious has been the struggle which has occurred in fact; how these eighty-six years, and especially the latter portion of them, have been years of ceaseless conflict between the liberties of the loyal, and the loyalties of the free, on the one hand, and all the forces of party spirit, and greed, and despotism, and slavery, on the other—all this is too well known to need rehearsal now. Enough to say, that after many years of growth, and violence, and rude aggression, each one of these malignant forces has at last reached its head: party spirit in the conflicts and ruptures of the Charleston Convention—avarice and greed in the huge and unscrupulous plunder of the last administration—despotism in the act of secession—and slavery in the setting up of the Southern Confederacy. Four cancers coming to the surface to declare the latent disease, four craters spouting forth their hidden fires, the ruptures at Charleston, the thefts of the traitors, the

Southren secession, and the new Confederacy, are so many signs, telling us that American history has reached at length her second crisis, and her great battle. It has taken us eighty-six years to bring out, into their full strength, and array in their proper malignity, these once concealed and peaceful elements of ruin.

But let us observe the changes which this great and healthful crisis has produced in the South, on the one hand; and in the North, on the other. We shall see that the States which have stood by the government, and those which have revolted, have both gained and lost much: but gained and lost in exactly opposite ways. The South once had the republic, the constitution, liberty, loyalty, and the oath. All these, the very elements and principles of a free State, they have cast away and abandoned. The North, on the other hand, had, till of late, its full share of party spirit, and avarice, and cowardly concession to slavery. But how, like hurrying mists, have all these shameful sentiments been swept away from the face of these loyal States, by the events and the responsibilities of the present hour

Despotism we never had. The Southren chivalry monopolised and kept that feeling. The other three we have shared with them till recently, these too, have left us; and greed, and theft, and party spirit, and slavery, and despotism, and treason, and falsehood have banded together into an empire by themselves, to worship their idol, and devour their plunder, and wait till, from the heavens above or the pit below, judgment and doom arrive together. The revolted States have cast away all the elements, emblems and safe-guards of liberty; have renounced allegiance, rejected authority, refused the constitution, disowned the oath, disobeyed the laws, made freedom an exile, made patriotism a crime. The North, on its part, letting go all the old passions which made war upon freedom, has welcomed, with an enthusiasm which knows no bounds, and an unanimity which has no exception, the spirit of patriotism

for that of party, of self-sacrifice for that of greed, of freedom for compromise and connivance and pro-slavery. And from this day the conflict upon this Continent is not territorial only, but moral as well. It is not commonwealths alone, that contend in this great battle of Freedom—not commonwealths, nor races, nor armies. Ideas are at war now. The providence of God has sifted the Nation, and drawn to one field all the passions, instincts and vices, that are at war with liberty; and to the other, all the powers, ideas and virtues, that foster a free government. And these opposing elements are now to determine, for all countries, for all time, which shall triumph, and which submit.

Whoever understands the American constitution, will perceive that there are but two ways in which the government can be mal-administered to the injury of the people; and consequently, but two kinds of grievance of which a citizen or a State may lawfully complain. The government may so administer law as to oppress liberty, or so indulge liberty as to imperil law. In the former case, the aggrieved people, acting in the interest of invaded liberty, would complain of the unconstitutional and injurious aggression of the law. In the other, taking part with the imperiled law, they would indite and accuse the overreaching liberty. Had the seceding States raised either of these two issues; had they so said, the American government is invading our liberties, by enacting unconstitutional laws, or is outraging the laws by an unconstitutional use of liberty; that, though unfounded, would have been a legitimate charge. For that would have been taking part with American loyalty against an offending liberty, or with American liberty against unjust and intrusive law. But these infuriate and unthinking States took part neither with liberty on the one hand, nor with loyalty on the other; but renouncing both, committed a double treason. The North, on the other hand, taking part with the rejected constitution, and that with the intent to restore not loyalty alone, but liberty as well, has

declared her allegiance to both the principles of the Republic, and become as doubly loyal as the South is doubly the opposite.

And what may we suppose will be the issue of this great conflict? The South have taken up arms, to repel, the North to restore the two vital forces of the government—loyalty and liberty.

What will come of a contest in which one of the combatants has undertaken to destroy, and the other to defend the most just and beneficent Government the world has ever seen? If this is a world in which right is entitled to overmaster the wrong; if we have reached an age in which Liberty has higher claims and surer prospects than oppression—above all, if there be in the heavens a just God, the Judge of nations and the Arbiter of war, may we not confidently say, that to the North, this controversy can bring nothing but growing advancement and ultimate victory; to the South, nothing but repeated disaster and final defeat. Every step in the great conflict, from the beginning till now, has been to the loyal States, a manifest ascent towards honor, and virtue, and strength; to the absconded States a visible decline towards weakness and anarchy and shame. Nothing could have wrought such benefit to us—nothing such injury to them, as their withdrawal. Had they desired to ruin us, they would have remained. Had they intended to destroy themselves, they would have done as they did. True, their revolt has brought upon us a lengthened, expensive and uncertain war. But war, though it impoverish our coffers and decimate our legions, and continue for years, war is better for us than indifference, and venality, and National decay. We were losing our manhood before; we are recovering it now. Every battle, every sacrifice, every sorrow of the present time, makes us a nobler and a better people. Whether we conquer the rebels or not, we are conquering our own corruptions; and that is a victory worth all that it costs. If it were possible to imagine, what nobody has the credulity to anticipate, or the cowardice to

fear, that we shall not soon subjugate the rebel spirit and recover the alien territory, and reconstruct the ruptured Union, even then we should say, The safety of unnumbered millions of free and honest men, in coming ages, requires that for the present the South shall stand apart, as a vast receptacle into which the vices of a great continent, its treason, its idleness, its pride, into which slavery and lawlessness, and lust, and anarchy, and despotism, shall together flow; where these destructive passions shall congregate as in a common pool, and seethe as in a common cauldron, till the unholy things, preying upon each other, shall be consumed at length, and the whole continent delivered from their presence. There is something portentous and awful in the recent migration of all the elements of National dissolution; of treason, of proslavery, of party spirit, of greed, from the North to the South. When such ill omened birds begin to move towards any spot, it augurs that the feast of death is about to be celebrated. The simultaneous flight of all the elements of freedom, towards the North, on the other hand—the eager escape of patriotism and allegiance and faith, seems to portend that the South is to be no longer a shelter for freedom or a home for virtue. It may be that till the present generation has been disabled, we shall not reclaim the revolted States, or restore the ancient Union. When the humors that had well nigh destroyed the body, withdraw and concentrate in some single member, amputation of the diseased limb may be the only remedy.

But if that should happen, which we trust will not happen, if through impotence or disinclination, or the better purpose of a superintending Providence, we should fail to regain the rebel States till a distant day, what then? Why, we have only failed in an attempt to conquer for the traitors the freedom which they had madly cast aside. We are fighting with the South not to rob them of what they received of the fathers; not to take away their liberties, but to restore them. If we succeed, we give them back

the inheritance for which their fathers fought. If we fail, they and not we must suffer the consequences of so great a disaster. We have not cast away our liberties; nor have we to regain loyalty, or union, or freedom. Never were the people of the North so loyal, so united, so brave, so strong, so worthy of freedom, so certain of freedom, as since they began to pour out their treasure and sacrifice their lives in the defence of the government. And whether we recover the revolted States or lose them, one thing is now certain—certain as it never was before—there is patriotism enough in the loyal North to save the Republic from its enemies at home—from its enemies abroad. Liberty has been attended along the ages with a train of martyrs. Liberty has her martyrs now, and with her martyrs Liberty is ever safe. We shall never again lack loyalty; never again think lightly of freedom. While the South was with us, we caught her vices, and were becoming a dastardly unprincipled and imbecile crew, cowering at every threat of the chivalry, bowing our necks to despotism, doing homage to slavery, sacrificing honor and manhood, and Liberty itself, to some new compromise, or some shameful concession, or some promise of a partnership in treason, and a share in the plunder. Whatever comes of this enormous war, we are emancipated already from that horrid incubus that lay on our hearts before. Never again will we yield our rights to despots. Never again will we allow slavery to take control of the government. We are free men now, and intend to remain so.

What could the people of the South do, if they should be so unfortunate as to succeed for a time in their foolish purpose of secession? Set up a free government? They have had a free government and overturned it. Adopt a written constitution? They have had a written constitution, and cast it aside. Bind themselves by an oath? They have disavowed an oath and brought perjury on their souls already. Would they teach their children allegiance? They have instructed them even now in the arts of

rebellion. Would they inculcate fidelity among their slaves? Their slaves have seen in their example a lesson of treason and an argument for revolt. There is not a solitary element of freedom, nor a single principle of government remaining among them, except it be the will of tyrants and the force of arms. For the present, passion, and rage, and necessity hold them together. But so soon as they are weakened by defeat, or weary of war; so soon as want or discouragement or reason returns, no mind can conceive the horrors that are reserved for those revolted commonwealths, if their own frenzy or the judgment of God should permit them to launch upon a separate history, and encounter an avenging fate.

For their sake, for the sake of the Republic, for the sake of universal humanity, we confidently believe that the revolted States will never achieve a separate existence. The contest may be fierce, the sacrifice immense, the end afar. The North may be called to pour out her treasures like water, and give her sons by thousands to the slaughter. But, we are setting up and consolidating a government which is to last when we and our children are dead. If we succeed, unborn millions will bless—if we come short, all the uncounted ages of the future will execrate our memory. If we consecrate our persons, if we spend our estates, if we sacrifice our children, if we shed our blood in behalf of the sacred cause of Liberty, let us remember, in the midst of all our trials, that they live best who live for the best things, and they die best who die for the right.





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